

ENTERED

July 30, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EDMUND HEIMLICH,	§	CIVIL ACTION No
<i>et al</i> ,	§	4:23-cv-03951
Plaintiffs,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
UNITED STATES,	§	
<i>et al</i> ,	§	
Defendants.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Pending is a Memorandum and Recommendation by Magistrate Judge Peter Bray dated July 8, 2025. Dkt 231. In addition to disposition of a number of pending motions, Judge Bray recommends entry of final judgment based on a prior order entered in this action by Judge Andrew Hanen prior to transfer to the undersigned. Id at 1, citing Dkt 210.

Plaintiff Edmund Heimlich proceeds here *pro se*. He filed objections. Dkt 233. He has also filed a letter addressed to Chief Judge Randy Crane, which is further construed as a motion for relief from order and to reopen the case, and which also includes a notice of non-consent to the referral to the Magistrate Judge. Dkt 232.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no

clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

The Memorandum and Recommendation clearly details the pertinent facts and procedural background, while correctly applying controlling law. Upon *de novo* review and determination, Plaintiff's objections lack merit. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The objections by Plaintiff to the Memorandum and Recommendation of the Magistrate Judge are OVERRULED. Dkt 233.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 231.

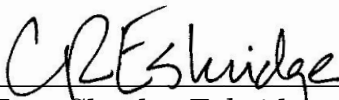
The motions by Plaintiff for relief from order and to reinstate the case are DENIED. Dkts 211 & 221.

The letter addressed to Chief Judge Randy Crane, filed after the Memorandum and Recommendation of the Magistrate Judge, and which is construed as a motion for relief from order and to reopen the case, is DENIED. Dkt 232.

A final judgment will enter separately.

SO ORDERED.

Signed on July 30, 2025, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge